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UNCLAS ABUJA 002187

SIPDIS

SENSITIVE

E.O. 12958: N/A

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SUBJECT: REPATRIATION OF DETAINED ALIENS TO NIGERIA

REF: STATE 143469

SENSITIVE BUT UNCLASSIFIED -- PLEASE HANDLE ACCORDINGLY

1. Mission shares the concern of Washington agencies that criminal aliens be repatriated without undue delay to their country of nationality. We want to work jointly with all concerned agencies to facilitate and speed repatriation of Nigerian criminal aliens.

2. We would welcome the opportunity to demarche the GON on the issue of delayed repatriation of the 81 criminal aliens of immediate concern. However, the Department needs first to obtain for us the case-by-case details that will allow us to address this issue effectively. We need to know in each case whether the Department believes that the Nigerian Mission to the U.S. is merely dragging its feet or whether proof of nationality (i.e., passport) is not available. At this point, we do not know why the Nigerian Mission has not documented these 81 persons. If this information is known to Washington agencies, we, too, need to have it.

3. If the USG possesses proof of Nigerian nationality, our demarche would logically take a different form than if we lack such proof. In cases where we have such proof, we should insist that the GON take responsibility for its nationals. If we lack such proof in some cases, we may need to work cooperatively with the GON to locate evidence to substantiate Nigerian nationality. We seriously doubt that in past years the GON filed passport applications in such a way that systematic retrieval would be possible. While the advent of machine-readable passports several years ago may have improved file retrieval, it is likely that few (if any) of the 81 came to the U.S. with MRPs.

4. If we make our demarche at sufficiently high levels and with the right people, Mission believes that the GON will work with us. However, GON law enforcement agencies are critically underfunded. The USG may need to commit new resources to the effort, especially if visits to civil status registries in remote locations are required. Our anti-fraud unit is insufficiently staffed to resolve the cases already before it and could not be tapped for this purpose.

5. Mission would also like to know what is being sought from the GON beyond acceptance of the 81 persons now at issue. If there appear to be systemic problems, such as lack of communication between the Nigerian Mission to the U.S. and Immigration Headquarters in Abuja, we would be pleased to see if we could help facilitate improvement.

6. We believe the GON seeks information on convictions in order to avail itself of a Nigerian law that criminalizes conduct (such as smuggling drugs) that brings Nigeria into disrepute. Post can provide further detail on this law if the Department requires it.
Jeter